

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52631 of 2018

Arising Out of PS.Case No. -139 Year- 2018 Thana -BARUN District- AURANGABAD

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Nand Lal Singh Son of Krishna singh Resident of Village- Piyan, P.S.
Sonhan, District- Bhabua (Kaimur).

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 379, 411, 420, 34 of the Indian Penal Code and
4/40 B.M.C.R. and 15 E.P. Act.

The prosecution case, in brief, is that in course of inspection,
the S.H.O. Barun Police found three tractors loaded with sand.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner has been made accused in this case due to mistake of
fact. The petitioner is alleged to be owner of the tractor in question
which is said to have been apprehended with sand loaded on it.



The petitioner denies the involvement of his tractor in respect of mining of sand. The other similarly situated co-accused namely, Ram Pravesh Prasad and Raju Singh have been granted anticipatory bail by coordinate benches of this court vide orders dated 29-08-2018 and 31-08-2018 passed in Cr. Misc. Nos. 49381 of 2018 and 52076 of 2018.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 139 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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